

Filed: April 18, 2006  
Staff: Trever Parker  
Staff Report: May 7, 2006  
Hearing Date: May 17, 2006  
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2006-07

APPLICANT (S): City of Trinidad

AGENT: N/A

PROJECT LOCATION: Van Wycke Trail  
Trinidad, CA 95570

PROJECT DESCRIPTION: Design Review and Coastal Development Permit to repair and improve the retaining wall supporting the Van Wycke Street Trail that was damaged in winter storms. Wooden railings will also be added to the south side of the trail along the retaining wall for public safety.

ASSESSOR'S PARCEL NUMBER: NA (within City right-of-way)

ZONING: NA (within City right-of-way)

GENERAL PLAN DESIGNATION: NA (within City right-of-way)

ENVIRONMENTAL REVIEW: Categorically Exempt from CEQA per § 15301 of the CEQA Guidelines exempting repairs, minor alteration of and additions to existing facilities, including pedestrian trails.

APPEAL STATUS:

Planning Commission action on a coastal development permit, a variance or a conditional use permit, and Design Assistance Committee approval of a design review application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project **X** **is** is not appealable to the Coastal Commission per the requirements of Section 30603 of the Coastal Act.

## **SITE CHARACTERISTICS:**

The project location is within the unpaved portion of the Van Wycke Street right-of-way where a retaining wall supports a portion of the Van Wycke Trail. The site is located on the top of the bluff, approximately half way between Galindo and Edwards Streets, about 300' east of Galindo. There is a "slump earthflow" in this area that is slowly and continually moving downslope, requiring regular maintenance of the retaining wall, especially after wet winters. The soils and geology are discussed further below. The project appears to be located on City property, although the northern property line is in question. The City shall determine the exact property line and underground utilities prior to work commencing.

*The purpose of the project, as stated in the scope of work is: Soil erosion and slumping at the retaining wall along the Van Wycke Trail have made the trail impassible. Left alone the problem will get worse, further threatening underground utilities in the area, and repairs will get more expensive. Recent retaining wall work at the site has shifted significantly down-slope and outward away from the trail. The work done in 1993 by Redwood Community Action Agency and the CCC also shifted recently and over time, but less severely.*

## **STAFF COMMENTS:**

This portion of the Van Wycke Street Trail is located at the head of a slowly moving earth slump and was damaged during 2005-2006 winter storms, making it unpassable to the public. The project involves primarily repair and replacement of existing improvements, but some improvements to, and expansion of, the existing retaining wall are required to bring the trail to pre-storm, winter 2005-2006 conditions. Because the project involves more than just replacement, and because it is located on the top of an unstable bluff and adjacent to an Open Space area, a Coastal Development Permit is required. The addition of hand rails along the newly repaired retaining wall also requires Design Review approval.

An adjacent portion of the Van Wycke Trail was originally part of the proposed Walkway project in 2002 (Segment 7), where geoblock was to be placed from Galindo Street east to the edge of the pavement. This segment was denied by the Planning Commission on the following basis: *There would be a conflict between parking and the walkway, either parking will be lost or cars will block the walkway. Since the Van Wycke Trails above this section of walkway is in disrepair, this segment is unnecessary and would be better dealt with at a time when the whole trail is fixed.* Although this segment was denied, a Geotechnical Investigation was completed on the "slump earthflow" at this site. This is discussed further below. A description of the work to be completed has been submitted by Sungnome Madrone of Madrone Enterprises.

## **ZONING ORDINANCE/GENERAL PLAN CONSISTANCY:**

As noted above, this project is a straightforward repair of damage occurring during winter storms and the proposed work will return it to pre-winter conditions. Because of the damage,

some expansion of the retaining wall is required, and the project is located on top of an unstable bluff adjacent to an Open Space area, which necessitates a Coastal Development Permit. Also, the proposed railing requires Design Review.

The proposed project is located within the undeveloped portion of the Van Wycke Street right-of-way, and therefore has no zoning associated with the property. The land immediately north of the project is zoned Urban Residential (UR) and the land immediately south is zoned Open Space (OS). The Van Wycke Street Trail is an important and heavily used part of the City's original trail system laid out in the 1978 General Plan. Policy 64 of the Trinidad General Plan requires that the trail system be marked and maintained for use by the public.

## **SLOPE STABILITY**

The property where the proposed project is located is within an area designated as unstable and questionably stable based on Plate 3 of the Trinidad General Plan. The trail requires regular maintenance as it is at the head of a slowly moving slump earthflow (SEF). A geotechnical report was completed by Busch Geotechnical Consultants for this area as part of the Walkway project in 2002. The report notes that the slump was *"initiated in the recent past when marine waves undercut the toe of the bluff face, the mélange bedrock in the base of the bluff plastically deformed (crept or flowed) downslope, and the overlying terrace rocks experienced a brittle rotational failure (a slump) down onto the earthflow. ... This SEF is active and, consequently, the slope above the head is a High-Risk setting."* The report also includes an analysis of the risk of soil movement at the site: *"The primary soil hazard of concern at the proposed construction site is creep. Creep is most rapid at the ground surface. In general, the creep rate decreases with depth and is essentially zero by about 3 feet in depth. ... In the lower site, the topsoil-based fill soils, and other loose fill soils, and any eolian (wind-blow) loose sands mantling the ice-plant covered hillslope below the road shoulder will experience rapid-rate creep. However, the gravel layer below these other soil types is unlikely to creep at all."* The original design for the walkway project (prior to the geologic report) was to *"support an elevated boardwalk with vertical posts resting on shallow concrete foundations tied to the hill below the road using helical soil anchors."* However, the report found that *"because both sites are more stable than all parties originally surmised, helical anchors are unnecessary and a conventional post and pier foundation without tiebacks may be more cost effective."* Therefore, repairing and replacing the existing deeply embedded posts tied back with cables to concrete deadmen is a cost-effective solution. Appropriate drainage will also be provided to minimize loading on the head of the slump. However, because of the unstable geology and undercutting of the toe of the slope by wave action, it is recognized that this is not a permanent solution and continued maintenance will be required in the future.

## **SEWAGE DISPOSAL**

There is no sewage disposal associated with this project.

## **DESIGN REVIEW/VIEW PRESERVATION FINDINGS:**

This project is subject to the Design Review and View Preservation criteria set by Zoning Ordinance Section 17.60. The following findings can be made based on the responses provided.

### **Design Criteria**

- A. *The alterations of natural land forms caused by cutting, filling and grading shall be minimal. Structures should be designed to fit the site rather than altering the land form to accommodate the structure.* Response: The minimum amount of ground disturbance needed to complete the retaining wall will occur. The project is designed to stabilize the soil and the trail.
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The proposed structures will be constructed of naturally stained wood, consistent with existing trail improvements.
- C. *Materials and colors used in construction shall be selected for compatibility both with the structural system of the building and with the appearance of the building's natural and manmade surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: The proposed structures will be constructed of naturally stained wood, consistent with existing trail improvements.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in developed areas. Attractive vegetation common to the area shall be used.* Response: This project is not new development and the project will have minimal aesthetic impacts. Vegetation could interfere with the public's use of the trail.
- E. *On-premises signs should be designed as an integral part of the structure and should complement or enhance the appearance of the surrounding area.* Response: No on-premise signs are associated with this project.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: The proposed improvements do not require utilities.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should have a single design theme.* Response: No off-premise signs are proposed as part of this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and*

*related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*

- 1. Residences of more than two thousand square feet in floor area and multiple family dwellings or commercial buildings of more than four thousand square feet in floor area shall be considered out of scale with the community unless they are designed and situated in such a way that their bulk is not obtrusive.*
- 2. Residential and commercial developments involving multiple dwelling or business units should utilize clusters of smaller structures with sufficient open space between them instead of a consolidated structure.*

Response: No buildings are proposed as part of this project.

## **View Protection Criteria**

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: The proposed structures will be constructed of naturally stained wood, consistent with existing trail improvements. They are meant to be visible from public trails to enhance recreational opportunities, but not obtrusive.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The purpose of the proposed improvements is to enhance safety, and the railings will be three to four feet high and will not significantly block views.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility; and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction.* Response: There is no residence proposed as part of this project, and no private views will be affected.
- D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There is no residence proposed as part of this project.

- E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: The proposed improvements are not within 100' of the Trinidad Cemetery, Holy Trinidad Church or the Memorial Lighthouse. The project may be within 100' of the Tsurai Study Area. However, the proposed railings will not block view of the site and the repair of the existing failed retaining wall will not crowd the Tsurai Study Area or affect its historic character or subject it to additional abuse or hazards.

#### **STAFF RECOMMENDATION:**

The project is consistent with the City's Zoning Ordinance and General Plan and the necessary findings for granting approval of the project can be made. Should the Planning Commission find that the Use Permit and Design Review/View Protection Findings can be made, then staff recommends that the Planning Commission approve the project with a motion similar to the following:

Based on application material, information and findings included in this Staff Report, and based on public testimony, I move to adopt the information and required findings and approve the project as submitted.